INDEX TO VOLUME 1984

ARTICLES & ESSAYS—AUTHORS

Blakesley, Christopher L.—A Conceptual Framework for Extradition and Jurisdiction Over Extraterritorial Crimes 685
Christensen, A. Sherman—The Next Step: A Jurisprudence of Legal Advocacy? 671
Dunsford, John E.—Prayer in the Well: Some Heretical Reflections on the Establishment Syndrome 1
Francis, Leslie Pickering—Eminent Domain Compensation in Western States: A Critique of the Fair Market Value Model 429
Leigh, Lawrence J.—A Theory of Jury Trial Advocacy 763
Leta, David E. & Jones, Michael F.—Selected Bankruptcy Considerations in Drafting Real Estate Documents 227
Schachner, Elliot M.—Religion and the Public Treasury After *Taxation with Representation of Washington, Mueller* and *Bob Jones* 275
See, Harold—An Alternative to the Contingent Fee 485
Somkin, Fred—The Strange Career of Fugitivity in the History of Interstate Extradition 511
Swift, Joel H.—Restraints on Defense Publicity in Criminal Jury Cases 45

ARTICLES & ESSAYS—TITLES

An Alternative to the Contingent Fee. *Harold See* 485
A Conceptual Framework for Extradition and Jurisdiction Over Extraterritorial Crimes. *Christopher L. Blakesley* 685
Eminent Domain Compensation in Western States: A Critique of the Fair Market Value Model. *Leslie Pickering Francis* 429
The Next Step: A Jurisprudence of Legal Advocacy? *A. Sherman Christensen* 671
Prayer in the Well: Some Heretical Reflections on the Establishment Syndrome. *John E. Dunsford* 1
Religion and the Public Treasury After *Taxation with Representation of Washington, Mueller* and *Bob Jones*. *Elliot M. Schachner* 275
Restraints on Defense Publicity in Criminal Jury Cases. *Joel H. Swift* 45
Selected Bankruptcy Considerations in Drafting Real Estate Documents. *David E. Leta & Michael F. Jones* 227
The Strange Career of Fugitivity in the History of Interstate Extradition. *Fred Somkin* 511
A Theory of Jury Trial Advocacy. *Lawrence J. Leigh* 763

NOTES & COMMENTS

Attorney's Fees in Bad Faith, Meritless Actions 593
Attorney's Fees in Utah 553
Awards of Attorney's Fees Under the "When Appropriate" Standard: *Ruckelshaus v. Sierra Club* 611
Charitable Lobbying Restraints and Tax Exempt Organizations: Old Problems, New Directions? 337
Cooper v. Singer: Contingent Fee Agreements That Exceed Section 1988 Statutory

Fee Awards Violate Public Policy 635
Eminent Domain and the Federal Oil and Gas Lessee—Lessee's Standing to Condemn a Right-of-Way 391
Employees' Rights to Employer Contributed Pension Benefits After a Plant Shutdown 807
Fictionalized Publications: When Should Defamation and Privacy Be a Bar? 411
The Freedom of Information Act Attorney's Fee Provision: Judicial Interpretation of the "Substantially Prevailed" Standard 573
Indian Worship v. Government Development: A New Breed of Religion Cases 313
Nelson v. Jacobsen: A New Causation Standard for Alienation of Affection Actions . 885
Settlement Negotiations: Ethical and Legal Dilemmas in Simultaneously Negotiating the Merits and Statutorily Authorized Attorney's Fees 651
Walker Bank & Trust Co. v. Jones: New Meaning for the Phrase, "Don't Leave Home Without It" 865
Wrongful Birth and Wrongful Life: Analysis of the Causes of Action and the Impact of Utah's Statutory Breakwater 833

HISTORICAL ESSAY

Singer v. Wadman: Lawful Use of Force? 365

CASES NOTED

Bob Jones University v. United States, 103 S.Ct. 2017 (1983) 275
Cady v. Johnson, 671 P.2d 149 (Utah 1983) 593
Cooper v. Singer, 719 F.2d 1496 (10th Cir. 1983) 635
Coquina Oil Corp. v. Harry Kourlis Ranch, Inc., 643 P.2d 519 (Colo. 1982) 391
Marsh v. Chambers, 330 U.S. 1 (1947) 1
Mueller v. Allen, 103 S.Ct. 3062 (1983) 275
Nelson v. Jacobsen, 669 P.2d 1207 (Utah 1983) 885
Prandini v. National Tea Co., 557 F.2d 1015 (3d Cir. 1977) 651
Pring v. Penthouse International, Ltd., 695 F.2d 438 (10th Cir. 1982) 411
Regan v. Taxation with Representation of Washington, 103 S.Ct. 1997 (1983) 275
Ruckelshaus v. Sierra Club, 103 S.Ct. 3274 (1983) 611
Singer v. Wadman, No. C-80-0212, *nom. dec.* (D. Utah Sept. 3, 1982), *appeal docketed* No. 82-22-73 (10th Cir. Oct. 19, 1982) 365
Walker Bank & Trust Co. v. Jones, 672 P.2d 73 (Utah 1983) 865

LIST OF SUBJECTS INDEXED

ADMISSIBILITY OF EVIDENCE
ALIENATION OF AFFECTION
ATTORNEY'S FEES
BANKRUPTCY
BUSINESS
CHURCH & STATE
CONSTITUTIONAL LAW
CONTRACTS
CONTRACTORS' BONDS
CREDIT CARDS
CRIMINAL LAW & PROCEDURE
DEFAMATION
EMINENT DOMAIN
ENVIRONMENTAL LAW
EVIDENCE
EXTRADITION
FIREWORKS
FREEDOM OF INFORMATION ACT
HEALTH CARE REGULATION
INDIAN LAW
INSANITY DEFENSE
INTERNATIONAL LAW
INTOXICATION
JURISPRUDENCE
JURY
JUVENILE JUSTICE
LOBBYING RESTRICTIONS
MEDIA LAW
OIL & GAS LEASES
PARENT & CHILD
PENSION LAW
PRIVACY
PROFESSIONAL RESPONSIBILITY
PROPERTY LAW
PUBLIC LANDS
REAL ESTATE TRANSACTIONS
RESTITUTION
SALES
TAXATION
TORTS
USE OF FORCE
WRONGFUL LIFE/BIRTH

SUBJECT INDEX

ADMISSIBILITY OF EVIDENCE

Utah Legislative Survey: Alternative to the Exclusionary Rule 138

ALIENATION OF AFFECTION

Nelson v. Jacobsen: A New Causation Standard for Alienation of Affection Actions 885

ATTORNEY'S FEES

Allocating Legal Fees in the United States 533
An Alternative to the Contingent Fee 485
Attorney's Fees in Bad Faith, Meritless Actions 593
Attorney's Fees in Bankruptcy Cases 543
Attorney's Fees in Utah 553
Awards of Attorney's Fees Under the "When Appropriate" Standard: *Ruckelshaus v. Sierra Club* 611
Cooper v. Singer: Contingent Fee Agreements That Exceed Section 1988 Statutory Fee Awards Violate Public Policy 635
The Freedom of Information Act Attorney's Fee Provision: Judicial Interpretation of the "Substantially Prevailed" Standard 573
Settlement Negotiations: Ethical and Legal Dilemmas in Simultaneously Negotiating the Merits and Statutorily Authorized Attorney's Fees 651
Utah Legislative Survey: Equal Access to Justice for Small Business 116
Validity of Contractual Provisions for Attorney's Fees in Utah 536

BANKRUPTCY

Attorney's Fees in Bankruptcy Cases 543
Selected Bankruptcy Considerations in Drafting Real Estate Documents 227

BUSINESS

Utah Legislative Survey: Equal Access to Justice for Small Business 116

CHURCH & STATE

Prayer in the Well: Some Heretical Reflections on the Establishment Syndrome 1
Religion and the Public Treasury After *Taxation with Representation of Washington, Mueller* and *Bob Jones* 275
Indian Worship v. Government Development: A New Breed of Religion Cases 313

CONSTITUTIONAL LAW

Prayer in the Well: Some Heretical Reflections on the Establishment Syndrome 1
Religion and the Public Treasury After *Taxation with Representation of Washington, Mueller* and *Bob Jones* 275
Indian Worship v. Government Development: A New Breed of Religion Cases 313
Utah Legislative Survey: Cable Television 122

CONTRACTS

Validity of Contractual Provisions for Attorney's Fees in Utah 536

CONTRACTORS' BONDS

Utah Legislative Survey: Performance and Payment Bonds on Public Construction Projects 127

CREDIT CARDS

Walker Bank & Trust Co. v. Jones: New Meaning for the Phrase "Don't Leave Home Without It" 865

CRIMINAL LAW & PROCEDURE

Restraints on Defense Publicity in Criminal Jury Cases 45
Utah Legislative Survey:
Fireworks 130
Alternative to the Exclusionary Rule 138
Inclusion of Unborn Child in Criminal Homicide Statute 146
Insanity Defense 151
Object Rape 159
Pyramid Schemes 208

DEFAMATION

Fictionalized Publications: When Should Defamation and Privacy Be a Bar? 411

EMINENT DOMAIN

Eminent Domain Compensation in Western States: A Critique of the Fair Market Value Model 429
Eminent Domain and the Federal Oil and Gas Lessee—Lessee's Standing to Condemn a Right-of-Way 391

ENVIRONMENTAL LAW

Attorney's Fees Under the "When Appropriate" Standard: *Ruckelshaus v. Sierra Club* 611

EVIDENCE

Utah Legislative Survey:
Alternative to the Exclusionary Rule 138

EXTRADITION

A Conceptual Framework for Extradition and Jurisdiction Over Extraterritorial Crimes 685
The Strange Career of Fugitivity in the History of Interstate Extradition 511

FIREWORKS

Utah Legislative Survey:
Fireworks 130

FREEDOM OF INFORMATION ACT

The Freedom of Information Act Attorney's Fee Provision: Judicial Interpretation of the "Substantially Prevailed" Standard 573

HEALTH CARE REGULATION

Utah Legislative Survey:
Certificate of Need 164
Medicaid Payments 169

INDIAN LAW

Indian Worship v. Government Development: A New Breed of Religion Cases 313

INSANITY DEFENSE

Utah Legislative Survey:
Insanity Defense 151

INTERNATIONAL LAW

A Conceptual Framework for Extradition and Jurisdiction Over Extraterritorial Crimes 685

INTOXICATION

Utah Legislative Survey:
Drunken Driving Standards 175
DUI Victim Restitution 186

JURISPRUDENCE

The Next Step: A Jurisprudence of Legal Advocacy? 671
Theory of Jury Trial Advocacy 763

JURY

Theory of Jury Trial Advocacy 763

JUVENILE JUSTICE

Utah Legislative Survey:
Youth Corrections Victim Restitution 191

LOBBYING RESTRICTIONS

Charitable Lobbying Restraints and Tax Exempt Organizations: Old Problems, New Directions? 337

MEDIA LAW

Restraints on Defense Publicity in Criminal Jury Cases 45
Utah Legislative Survey: Cable Television 122

OIL & GAS LEASES

Eminent Domain and the Federal Oil and Gas Lessee—Lessee's Standing to Condemn a Right-of-Way 391

PARENT & CHILD

Utah Legislative Survey: Parental Notification of Minor's Contraceptive Use 196

PENSION LAW

Employees' Rights to Employer Contributed Pension Benefits After a Plant Shutdown 807

PRIVACY

Fictionalized Publications: When Should Defamation and Privacy Be a Bar? 411

PROFESSIONAL RESPONSIBILITY

Settlement Negotiations: Ethical and Legal Dilemmas in Simultaneously Negotiating the Merits and Statutorily Authorized Attorney's Fees 651

PROPERTY LAW

Eminent Domain Compensation in Western States: A Critique of the Fair Market Value Model 429
Eminent Domain and the Federal Oil and Gas Lessee—Lessee's Standing to Condemn a Right-of-Way 391
Selected Bankruptcy Considerations in Drafting Real Estate Documents 227

PUBLIC LANDS

Utah Legislative Survey: Project BOLD Implementation 202

REAL ESTATE TRANSACTIONS

Selected Bankruptcy Considerations in Drafting Real Estate Documents 227

RESTITUTION

Utah Legislative Survey: DUI Victim Restitution 186
Youth Corrections Victim Restitution 191

SALES

Utah Legislative Survey: Pyramid Schemes 208

TAXATION

Religion and the Public Treasury After *Taxation with Representation of Washington, Mueller* and *Bob Jones* 275
Charitable Lobbying Restraints and Tax Exempt Organizations: Old Problems, New Directions? 337

TORTS

Nelson v. Jacobsen: A New Causation Standard for Alienation of Affection Actions 885
Utah Legislative Survey: Limited Immunity to Good Samaritans 217

USE OF FORCE

Singer v. Wadman: Lawful Use of Force? 365

WRONGFUL LIFE/BIRTH

Utah Legislative Survey: Wrongful Life Actions 221

Wrongful Birth and Wrongful Life: Analysis of the Causes of Action and the Impact of Utah's Statutory Breakwater 833